

with no special deal, no special subsidy, no special exemption.

That law was passed as part of ObamaCare, pure and simple, exactly those words.

I guess this is an example of what NANCY PELOSI said: We need to pass the law in order to figure out what is in it. Because after the law passed, with that language in it, lots of folks on Capitol Hill started reading that and they said, Oh, you-know-what; we can't stand for this, we can't live by that. We can't be subject to the same situation as other Americans. So there was furious scheming and gnashing of teeth about how we are going to get out of this burden, even though there was very little broad-based discussion about how we are going to get all of Americans out of that burden they were subjected to.

That developed into furious lobbying of the Obama administration. Many folks in the Senate, led by the distinguished majority leader HARRY REID said: Mr. President, you need to issue a special rule that exempts Congress, that takes the pain out of that provision—a special, unique, special rule, special bailout for Congress. Sure enough, that is what the Obama administration did, conveniently right after we left town for the August recess, right after Congress got away from the scene of the crime.

According to numerous press reports that are not rebutted, President Obama personally got involved. He personally had discussions within his administration, at the urging of HARRY REID and others, and he ensured that this special rule was issued. It does two things, basically. No. 1, it says that even though the ObamaCare statute states plainly and clearly that every Member of Congress and all official congressional staff have to go to the exchanges, we don't know what official staff is, so we are going to leave that up to each individual Member of Congress, and we are not going to second-guess that. So any individual Member of Congress can say certain folks aren't covered by that mandate. They can stay in their current plan. They don't have to be disrupted. In theory, a Member of Congress can say nobody on my staff is part of that official staff for purposes of this mandate. That is silly and ridiculous on its face because the statute is clear.

The second thing this illegal rule does is it says that for Members and any staff who do go to the exchange—what is supposed to be the fallback position for Americans and for Congress—for Members and staff who do go to the exchange, they get to take their very generous taxpayer-funded subsidy with them, even though that is not available to any other person losing employer-based coverage and who is going to the exchange against his or her will. So that deal isn't available to anyone but the select ruling class.

That is why I think this rule is completely illegal, and that is why I know it flies in the face of what I consider

the first most basic rule of democracy; that laws passed by Congress, by Washington, should be applied to Washington the same as they are applied to America. That should be true in ObamaCare. That should be true across the board.

To react to this illegal Obama administration rule, I joined with many colleagues in the Senate—and I wish to thank all of my cosponsors, including Senator ENZI, Senator HELLER, and several others—I am forgetting the entire list—and Members of the House who have identical legislation and identical language. They are led by Congressman RON DESANTIS of Florida. RON JOHNSON is another colleague I was trying to think of from Wisconsin who is another leading coauthor. I wish to thank all of them for leading this fight.

Our language does two simple things. First of all, it negates this illegal Obama administration rule that is a special exemption, a special bailout for Congress against the clear language and intent of ObamaCare. Secondly, it broadens that rule and also applies it to the President and the Vice President and all of their political appointees.

That is the "no Washington exemption" language. That is the Vitter amendment in the Senate, with many other cosponsors. That is the DeSantis amendment in the House, with many House cosponsors. I urge all of my colleagues to come together around that commonsense, fair language, which again simply ensures what I think should be rule No. 1 of our American democracy: Whatever Congress passes for America, it applies equally to itself; whatever Washington imposes on America, it applies equally to Washington, to policymakers in Washington.

We are making progress because there are reports that the House may very well take up this exact language tonight as part of the continuing discussion about a spending bill, and I urge the House to do that, to stand with the American people—not to stand with Washington but to stand tall with the American people—and say, yes, it should be that even playing field, and whatever is passed on America should be applied equally in the same way. No special deals or exemptions or subsidies should be applied to Washington.

I urge all of my colleagues here, Republicans and Democrats, to support that effort, to support that simple, basic, fair language, to support it on ObamaCare, to support it across the board because it is essential that what Washington passes on America is applied with equal force and effect on Washington. If we did that under ObamaCare, I am convinced we would rush with greater determination, speed, and focus to fix the very real problems of ObamaCare because we would be vested in it. If we did that on other laws, I am convinced it would have the same positive effect. Let's do

it, No. 1, because it is fair and right; and No. 2, because our personal interests should be completely aligned, should be the same as those of the American people, and that will get us to act. That will get us to fix things. That will get us to fight in the right direction, Republicans and Democrats together.

Again, I urge support of this new Washington exemption language. I urge the House to vote positively on that tonight. I urge the Senate to accept that fundamental principle, that important language, which, as I said, I think is the first core rule of democracy.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### EXTENSION OF MORNING BUSINESS

Ms. WARREN. Madam President, I ask unanimous consent that the time for morning business with debate only be extended until 8 p.m., with Senators permitted to speak therein for up to 10 minutes each, and that the majority leader be recognized at 8 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONTINUING APPROPRIATIONS

Ms. WARREN. Madam President, I come to the floor today in a state of disbelief. With millions of people out of work, with an economic recovery still far too fragile, with students and families being crushed by student loan debt, with millions of seniors denied their chance at one hot meal a day, with Meals On Wheels, and millions of little children pushed out of Head Start because of a sequester, with the country hours away from a government shutdown and days away from a potential default on the Nation's debt, the Republicans have decided that the single most important issue facing our Nation is to change the law so employers can deny women access to birth control coverage.

In fact, letting employers decide whether women can get birth control covered on their insurance plans is so important that the Republicans are willing to shutter the government and potentially tank the economy, over whether women can get access to birth control in the year 2013,—not the year 1913, the year 2013.

I have a daughter and I have granddaughters, and I will never vote to let a group of backward-looking ideologues cut women's access to birth control. We have lived in that world and we are not going back—not ever.

This assault on birth control is just one more piece of an ongoing Republican assault on the orderly functioning of our government and the orderly functioning of our economy. In effect, the Republicans are trying to take the government and the economy hostage, threatening serious damage to both unless the President agrees to gut the Affordable Care Act.